

New Jersey Board
of Chiropractic
Examiners-Filed, Date

12/5/90
John A. Blum
Executive Director

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC
SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

In the Matter of the
Suspension or Revocation
of the License of

)

Administrative Action

)

DECISION AND ORDER

LEONARD VERNON, D.C.

)

To Practice Chiropractic
in the State of New Jersey

)

)

This matter was opened to the New Jersey State Board of Chiropractic Examiners by way of an Order to Show Cause filed by Robert J. Del Tufo, Attorney General of New Jersey, by James F. Lafargue, Deputy Attorney General, why the license to engage in the practice of chiropractic of the respondent should not be suspended or revoked for failure to comply with a prior Board Order. The Order to Show Cause alleged that respondent failed to make certain payments of monies to the Board and failed to present a plan for proposed community service as required by the terms and conditions of a Consent Order filed with the Board of Medical Examiners on February 16, 1990. No papers were filed on behalf of the respondent in opposition to the relief sought by the Attorney General.

This matter was heard by the Board of Chiropractic Examiners on November 15, 1990. James F. Lafargue, Deputy Attorney General, appeared on behalf of the Attorney General. Alexander W. Booth, Jr., Esq., appeared on behalf of the respondent. The respondent testified in his own behalf.

The Board moved into Executive Session for the purpose of deliberating on the application, and thereafter the Board announced its Decision and Order on the public record.

DISCUSSION

On February 16, 1990, a Consent Order was filed with the State Board of Medical Examiners in resolution of an Administrative Complaint which alleged that the respondent had submitted, on two occasions, false information about his medical education and training to the Educational Commission for Foreign Medical Graduates on applications to take an examination leading to medical licensure. The Complaint further alleged that respondent misrepresented a student observation class at Jersey City Medical Center by describing it as a clinical clerkship. The respondent admitted the foregoing conduct and entered into the Consent Order which provided for the suspension of his license to practice chiropractic for eighteen (18) months beginning on February 16, 1990. Of that period, ninety (90) days were to be an active suspension, and the remainder of the eighteen (18) month suspension period was to be stayed and serve as a term of probation, subject to being activated upon notice and hearing if the respondent failed to comply with the terms of the Order. The terms of the Order were a civil penalty in the amount of Three Thousand Seven Hundred and Fifty (\$3,750.00) Dollars which was due within sixty (60) days of the filing date of the Order, and respondent was required to present a plan for three hundred (300) hours of community service to the Board for its approval within sixty (60) days of the filing date of the

Order.

It is uncontroverted that respondent failed to pay the monetary penalty, and he also failed to present a plan of community service. The respondent testified that he is currently the Director of Imaging Management Associates and that he has not practiced chiropractic since the commencement of his active suspension. When asked why he failed to comply with the terms of the Order, the respondent stated that he had no excuse for his failure to comply and merely asserted that it was not a priority in his life at that time. He advised the Board that he had undergone a difficult emotional period in connection with a divorce, and he was otherwise preoccupied with his responsibilities as Director of various imaging centers.

The respondent further stated that he was now interested in regaining his license to practice chiropractic and promised to submit to the Board by November 23, 1990 the full amount of the monetary penalty and the community service plan.

DECISION

The Board finding that respondent, by his own admission, failed to comply with the terms of a Consent Order into which he entered on February 16, 1990, requiring that he pay a civil penalty and present a plan for three hundred (300) hours of community service within sixty (60) days of the Consent Order, and the Board having heard the testimony of the respondent and the arguments of counsel, and the Board finding that there were no mitigating circumstances that would justify the respondent's flagrant violation of the terms and conditions of a Consent

Order, and the Board being unpersuaded by respondent's current desire to retain his license to practice chiropractic, and for other good cause shown;

IT IS ON THIS 30th DAY OF November, 1990;

HEREBY ORDERED THAT:

1. The suspension of the license of Leonard Vernon, D.C., to practice chiropractic in New Jersey for a period of eighteen (18) months beginning on February 16, 1990, is hereby activated for the full period for failure to comply with the terms of the Consent Order filed on February 16, 1990.

2. Respondent shall pay the civil penalty in the amount of Three Thousand Seven Hundred and Fifty (\$3,750.00) Dollars no later than November 23, 1990. The civil penalty shall be paid by certified check, money order, or attorney trust account check made payable to the State of New Jersey and submitted to the Board of Chiropractic Examiners, 1207 Raymond Boulevard, 6th Floor, Newark, New Jersey 07102.

3. Respondent shall not be required to complete any community service.

NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS

By:



Charles Bender, D.C.
President